

EXHIBIT 123

2/26/2025

Richard Kadrey, et al. v. Meta Platforms, Inc.
Highly Confidential - Attorneys' Eyes Only

Lyle Ungar

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

RICHARD KADREY, et al.,)
Individual and Representative)
Plaintiffs,) CASE NO.
) 3:23-cv-03417-
-against-) VC
META PLATFORMS, INC.,)
Defendant.)
)

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Videotaped Deposition of Lyle Ungar
Philadelphia, Pennsylvania
Wednesday, February 26, 2025
Reported Stenographically by
Jennifer Miller, RMR, CRR, CSR No. 14652

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1	is can you take the training data -- can you	11:43:33
2	take the weights in a neural net and	11:43:37
3	reconstruct the training data?	11:43:39
4	That is also definitely not	11:43:40
5	possible.	11:43:43
6	Q. Okay.	11:43:44
7	A. Again, modulo, minor -- you know, in	11:43:46
8	rare, rare occasions you may be able to	11:43:50
9	reproduce little pieces of it.	11:43:53
10	Q. Understood.	11:43:54
11	And you, in fact, conducted some	11:43:54
12	of those experiments yourself, right, in the	11:43:58
13	process of your expert work in this case,	11:44:00
14	right?	11:44:05
15	ATTORNEY MORTON: Object to	11:44:06
16	form.	11:44:06
17	THE WITNESS: I constructed some	11:44:09
18	experiments. I'm not sure what "those"	11:44:10
19	means there. But I conducted experiments,	11:44:14
20	yes.	11:44:15
21	BY ATTORNEY YOUNG:	11:44:16
22	Q. Okay. And including testing for	11:44:16
23	whether or not the Llama models or certain of	11:44:17
24	the Llama models that you tested were able to	11:44:19
25	continue passages of tokens from certain works	11:44:22

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1	that you fed into the model, correct?	11:44:28
2	A. Correct.	11:44:36
3	Q. Okay. And just to be clear, you did,	11:44:36
4	indeed, find that it was able to continue at	11:44:37
5	least for some token lengths, right?	11:44:43
6	ATTORNEY MORTON: Object to	11:44:45
7	form.	11:44:45
8	THE WITNESS: What I found was	11:44:46
9	an average for each book, one short	11:44:46
10	passage of roughly 50 tokens could, with	11:44:52
11	some statistical probability, be	11:44:57
12	reconstructed under these specialized	11:44:59
13	circumstances designed to make it as easy	11:45:02
14	as possible to reconstruct them.	11:45:05
15	BY ATTORNEY YOUNG:	11:45:07
16	Q. And you report averages in your	11:45:07
17	report, right?	11:45:12
18	A. I report several different averages.	11:45:14
19	I'm not quite sure what you're referring to.	11:45:17
20	Which averages?	11:45:19
21	Q. I'll clarify that in a bit.	11:45:22
22	So if we were to turn -- can you	11:45:27
23	please turn to paragraph 90 of your opening	11:45:34
24	report, please?	11:45:37
25	A. Sorry. 9-0?	11:45:38

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1

CERTIFICATE

2

I HEREBY CERTIFY that the

3

proceedings, evidence and objections are

4

contained fully and accurately in the

5

stenographic notes taken by me upon the

6

deposition of Lyle Ungar, taken on

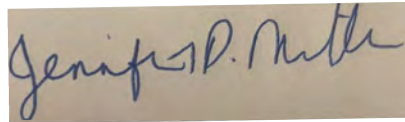
7

2/26/25 and that this is a true and correct

8

transcript of same.

9

A handwritten signature in blue ink on a light-colored rectangular piece of paper. The signature appears to read "Jennifer D. Miller".

10

11

12

13

Jennifer Miller, RMR, CCR, CRR

14

and Notary Public

15

16

17

18

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21

(The foregoing certification of

22

this transcript does not apply to any

23

reproduction of the same by any means

24

unless under the direct control and/or

25

supervision of the certifying reporter.)